

Remarks

The various parts of the Office Action (and other matters, if any) are discussed below under appropriate headings.

Claim Rejections - 35 USC § 112

By way of the foregoing amendments, claims 2, 6 and 11 have been amended in a manner that renders moot the rejection under 35 USC § 112. In claims 2 and 6, it is now clarified that the therein recited attachment or connection is effected when the repositionable island is removed from the front surface of the main unit. Claim 11 has been amended to depend from claim 10 and presumably now constitutes a withdrawn claim. If the Examiner believes it is proper to examine amended claim 11 in the present application, request hereby is made to maintain claim 11 as an elected claim.

Entry of the amendments to claims 2, 6 and 11 is requested, either because they do not introduce a new issue after final rejection or they reduce the issues for appeal.

Claim Rejections - 35 USC § 102

The anticipation rejection advanced by the Examiner is premised on the Examiner being able to read the "front surfact" of the main unit on a side surface of the kitched unit denoted as the "main unit" in Fig. 9 of the Klein (DE 197 00 149 A1). According to the Examiner, "applicant did not define a front surface in reference to the main unit." The undersigned respectfully disagrees.

Claim 1 recites a toy kitchen comprising, *inter alia*, a main unit having a front surface. Clearly, the reference to a "front surface" is in relation to the main unit. It is the main unit that is said to have a front surface. In addition, the skilled person would further now what is meant by the "front surface" such that no further definition is needed in claim 1. Accroding to The American Heritage® Dictionary of the English Language, Fourth Edition, by Houghton Mifflin Company, the word "front" means "of, relating to, aimed at, or located in the front: the front lines; *the front row; front property on Lake Tahoe.*" The necessarily excludes the Examiner's reading of "front" on a side of the

"main unit" of Klein. In Fig. 9, the front of the "main unit" is facing the viewer. Any other interpretation would appear to be nonsensical.

For at least the foregoing reason, the anticipation rejection should be withdrawn.

Allowable Subject Matter

The indicated allowability of claim 9 is noted with appreciation. Claim 9 has been amended into independent form.

Conclusion

In view of the foregoing, request is made for timely issuance of a notice of allowance.

Respectfully submitted,

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CERTIFICATE OF MAILING (37 CFR 1.8a)

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Date: August 1, 2003


Don W. Bulson

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